

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
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FILED

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INDIANA UTILITY
REGULATORY COMMISSION

CAUSE NO. 42928

**PETITION OF INDIANA MICHIGAN)
POWER COMPANY FOR APPROVAL)
OF THE FOURTH AMENDMENT TO)
A CONTRACT FOR ELECTRIC)
SERVICE WITH STEEL DYNAMICS,)
INC., AND DETERMINATION THAT)
DESIGNATED CONFIDENTIAL)
INFORMATION BE EXEMPT FROM)
PUBLIC DISCLOSURE)**

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

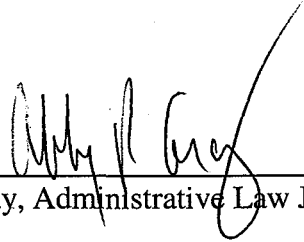
On October 5, 2005, Indiana Michigan Power Company ("I&M" or "Petitioner") filed its Verified Petition in this Cause. In its Petition, I&M indicates that certain information that it intends to submit in this cause contains trade secrets ("Confidential Information") as that term is defined under Indiana Code 24-2-3-2. Information containing trade secrets is excepted from public disclosure under Indiana Code 5-14-3-4(a)(4). In support of its request, the Petitioner included the sworn Affidavits of Kent D. Curry and Mark D. Millett ("Affidavits"). The Affidavits have been placed in the Commission's official file in this matter and are hereby incorporated by reference.

170 I.A.C. 1-1.1-4 governs the submission of confidential or privileged information to the Commission, and requires the applicant to apply for a finding by the Commission that the information is confidential. The application must be accompanied by the sworn statement or testimony of a party that describes: 1) the nature of the confidential information; 2) the reasons why the information should be treated as confidential pursuant to I.C. 8-1-2-29 and I.C. 5-14-3; and, 3) the efforts the party has made to maintain the confidentiality of the information.

The Presiding Officer, having considered Petitioner's request, find there is sufficient basis for a determination that the Confidential Information should be held as confidential by the Commission on a preliminary basis. Accordingly, Petitioner shall hand deliver the Confidential Information to the Presiding Administrative Law Judge. The Confidential Information should be

on light green paper, in a sealed envelope clearly marked confidential with the Cause No. noted thereon, and will be treated as confidential on a preliminary basis and excepted from public disclosure in accordance with Indiana Code 5-14-3.

IT IS SO ORDERED.



Abby R. Gray, Administrative Law Judge

Date: November 28, 2005